

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**MERRILL LYNCH, PIERCE, FENNER  
& SMITH INCORPORATED,**

*Plaintiff,*

**v.**

**BRYAN ZIENCIK,**

*Defendant.*

**C.A. No.: 2:10-cv-01372-GLL**

**JUDGE GARY L. LANCASTER**

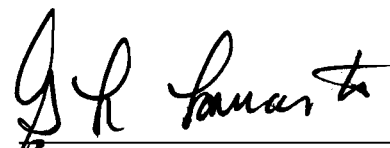
**DEFAULT JUDGMENT ORDER**

AND NOW, this 3<sup>rd</sup> day of December, 2010, IT IS HEREBY ORDERED that a DEFAULT JUDGMENT is entered as to Defendant, Bryan Ziencik, on Plaintiff's Complaint in the Form of A Motion to Confirm Arbitration Award and for Entry of Final Judgment (the "Complaint") as follows:

- 1) \$185,254.00 in compensatory damages pursuant to and in accordance with the September 7, 2010, Arbitration Award ("Award") at issue in the Complaint;
- 2) Interest on that amount at the rate of 3.9% per annum from and including August 6, 2008 through and including the date the Award is paid in full. To date, the interest accrued pursuant to the Award is \$16,801.71;
- 3) \$4,104.59 in costs pursuant to the Award; and
- 4) \$58,660.75 in attorneys' fees pursuant to the Award.

**TOTAL AMOUNT OF DEFAULT JUDGMENT TO DATE  
(exclusive of ongoing interest):**

**\$ 264,821.05**

  
Hon. Gary L. Lancaster,  
Chief U.S. District Judge